

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Suzann Lynette Jackson

Docket No. 5:10-CR-113-4BR

Petition for Action on Probation

COMES NOW Michael C. Brittain, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Suzann Lynette Jackson, who, upon an earlier plea of guilty to Conspiracy to Commit Bank and Wire Fraud in violation of 18 U.S.C. § 1349, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on April 5, 2011, to a 36 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abide by all conditions and terms of the home detention program for a period of 8 months. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by probation. The defendant shall pay for electronic monitoring services as directed by the probation officer.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 30, 2011, the defendant was charged with Driving While Impaired by Officer C. M. Warner of the Raleigh Police Department. She voluntarily submitted to a breathalyzer test which resulted in a blood alcohol reading of .09. This case is currently scheduled for hearing in Wake County District Court on June 10, 2011. It should be noted that this incident occurred while the defendant was on home detention with electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
3. The defendant shall abide by all conditions and terms of the home detention program for an additional period of 2 months. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441

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Executed On: May 13, 2011

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ORDER OF COURT

Considered and ordered this 16 day of May, 2011, and ordered filed and made a part of the records in the above case.

A handwritten signature in dark ink, appearing to read "W. Earl Britt", is written over a horizontal line.

W. Earl Britt
Senior U.S. District Judge